

Exhibit A

Class 1 and 3 Publication Notice

Legal Notice

If You Made a Co-Payment Through Medicare Part B or a Percentage Co-Payment in Massachusetts, For Any of the Drugs Listed Below,

A Class Action Lawsuit May Affect Your Rights.

There is a class action lawsuit pending in the U.S. District Court for the District of Massachusetts. The name of the lawsuit is *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, Docket No. 01-CV-12257-PBS.

The lawsuit claims that certain drug companies reported false and inflated average wholesale prices ("AWP") for certain types of outpatient drugs. The reported AWP's are used to set prescription drug prices that are paid by Medicare, consumers making co-payments and insurers. The lawsuit asks the Court to award money damages to some people who made co-payments for the drugs.

What Drugs are Covered by the Litigation?

Certain dosages of the following Covered Drugs made by the Defendants AstraZeneca, Bristol-Myers Squibb Group, Johnson & Johnson Group and Schering Plough Group are covered: **Albuterol, Blenoxane, Coumadin, Cytosan, Etopophos, Integrilin, Intron A, Paraplatin, Perphenazine, Procrit, Proventil, Remicade, Rubex, Taxol, Temodar, VePesid and Zoladex.** These are referred to in this notice as the "Covered Drugs." For a complete list of the dosages by drug visit the Web site or call or write as indicated below for a detailed Notice.

Am I Involved in the Litigation?

There are two sub-classes for consumers who paid for Covered Drugs.

You are a member of the **Medicare Part B Class** if:

- You made a co-payment under Medicare Part B from January 1, 1991 to January 1, 2005 or have an obligation to make such a co-payment for a Covered Drug. You are not included in this sub-class if you were a resident of Alabama, Alaska, Georgia, Iowa, Kentucky, Louisiana, Mississippi, Montana or Virginia at the time you made the Medicare Part B co-payment. You are also excluded from this Class if you made flat co-payments (a co-payment that does

not differ with the cost of the drug), or you were reimbursed for co-payments or have the right to be reimbursed.

You are a member of the **Massachusetts Class** if:

- You paid a percentage co-payment, or are currently obligated to make such a co-payment, for any Covered Drug in the state of Massachusetts from January 1, 1991 to June 1, 2006.
- You're included in the Massachusetts Class only if your co-payment was a percentage co-payment. You're **not** included in the Class if you paid a fixed or flat co-payment. If you pay the same co-payment regardless of the cost of the drug (even if the co-payment amount changes depending on the whether the drug is a brand name or a generic product), you are not included in the Massachusetts Class.

Please note that Massachusetts Medicare Part B enrollees may be in both the Medicare Part B Class and the Massachusetts Class.

What Are My Rights as a Member of the Medicare Part B Class or Massachusetts Class?

- **If you wish to remain a member of either Class**, you don't need to do anything at this time. If you don't exclude yourself, as a member of either Class you'll be bound by whatever happens in the lawsuit, and you won't be able to sue the Defendants on your own about the claims in the lawsuit. Court-appointed Counsel will represent you at no cost. You may also hire your own attorney at your own cost.
- **If you do not wish to participate in either or both of the Classes**, you must mail a personally signed, written request to be excluded to the address below. The request must be postmarked by **September 15, 2006**. If you exclude yourself from either or both of the Classes, you can't participate in any recovery for the Class(es), if there is one, but you do keep the right to sue the Defendants on your own.

For a Detailed Notice and Further Information on the Covered Drugs and AWP Litigation

Call toll-free: 1 XXX-XXX-XXXX or Visit: www.AWPlitigation.net

Or Write: AWP Class Action Litigation, P.O. Box XXX, City, State 00000

Exhibit B

Third-Party Payors Publication Notice – Class 2 and 3

Legal Notice

**If You Are a Third-Party Payor Based in or With
Beneficiaries in Massachusetts
And You Made Reimbursements For Any of the
Drugs Listed Below,**

A Class Action Lawsuit May Affect Your Rights.

There is a class action lawsuit pending in the U.S. District Court for the District of Massachusetts. The name of the lawsuit is *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, Docket No. 01-CV-12257-PBS.

The lawsuit claims that certain drug companies reported false and inflated average wholesale prices ("AWP") for certain types of outpatient drugs. The reported AWP's are used to set prescription drug prices that are paid by Medicare, consumers making co-payments, insurers and other Third Party Payors ("TPP"). The lawsuit asks the Court to award money damages to some TPPs who made reimbursements for the drugs.

What Drugs are Covered by the Litigation?

Certain dosages of the following Covered Drugs made by the Defendants AstraZeneca, Bristol-Myers Squibb Group, Johnson & Johnson Group and Schering Plough Group are covered: **Albuterol, Blenoxane, Coumadin, Cytoxan, Etopophos, Integrilin, Intron A, Paraplatin, Perphenazine, Procrit, Proventil, Remicade, Rubex, Taxol, Temodar, VePesid and Zoladex.** These are referred to in this Notice as the "Covered Drugs." For a complete list of the dosages by drug visit the Web site or call or write as indicated below for a detailed Notice.

Which TPPs Are Involved in the Litigation?

The Court has ruled that there are two different Classes for TPPs who reimbursed for Covered Drugs: a MediGap TPP Class and a Massachusetts Class. A TPP could be a member of one or both Classes.

A TPP is a member of the MediGap TPP Class if it made reimbursements for all or part of its insured's 20% co-payment under Medicare Part B for Covered Drugs anytime between January 1, 1991 and January 1, 2005, or

A TPP is a member of the Massachusetts Class if it reimbursed for Covered Drugs outside of Medicare Part B based on a contract that uses AWP as a reimbursement benchmark anytime between January 1, 1991 and June 1, 2006.

In order to be member of either the MediGap TPP Class or the Massachusetts Class, the reimbursements must have been for a beneficiary in Massachusetts or the TPP must have its principal place of business in Massachusetts.

What Are a TPPs' Rights as a Member of Either or Both of the Classes?

- **If a TPP wishes to remain a member of either or both of the Classes**, it doesn't need to do anything at this time. If it doesn't exclude itself, as a member of either Class it will be bound by whatever happens in the lawsuit, and it won't be able to sue the Defendants on its own about the claims in the lawsuit. Court-appointed Counsel will represent all Class Members at no cost. Class Members may also hire their own attorney at their own cost.
- **If a TPP does not wish to participate in the Class**, it must mail a signed, written request to be excluded to the address below. The request must be postmarked by **September 15, 2006**. If a TPP excludes itself from the Class, it can't participate in any recovery for the Class, but keeps the right to sue the Defendants on its own.

**For a Detailed Notice Form and Further Information on the
Covered Drugs and AWP**

Call toll-free: 1 XXX-XXX-XXXX or Visit: www.AWPlitigation.net

Or Write: AWP Class Action Litigation, P.O. Box XXX, City, State 00000

Exhibit C

Proposed Individual Notice to Third-Party Payors

United States District Court – District of Massachusetts

**If You Are a Third-Party Payor Based in or With
Beneficiaries in Massachusetts
And You Made Reimbursements For Any of the Drugs
Listed Below,**

A Class Action Lawsuit May Affect Your Rights.

The District Court has approved the text of this Notice and authorized its printing and publication. It is not from a lawyer. You are not being sued.

A lawsuit claims that certain drug companies (the “Defendants”) reported false and inflated average wholesale prices (“AWP”) for some types of outpatient drugs (“Covered Drugs”), and asks the Court to award money damages to Third-Party Payors (“TPP”) that made reimbursements for those drugs based on the drug’s AWP.

The Court has said that the lawsuit can go forward on behalf of two “Classes” of TPPs. Those Classes include (1) TPPs who made reimbursements for all or part of their insured’s 20% co-payment under Medicare Part B for a Covered Drug between January 1, 1991 and January 1, 2005, and (2) TPPs who reimbursed for the drugs listed below outside of Medicare Part B based on a contract that uses AWP as a reimbursement benchmark between January 1, 1991 and June 1, 2006. In addition, in order to qualify to be a member of one of these Classes, TPPs must have made reimbursements for beneficiaries in Massachusetts, or made reimbursements for the Covered Drugs and have its principal place of business in Massachusetts.

Defendant Drug Company	Covered Drugs
AstraZeneca	Zoladex
Bristol-Myers Squibb Group	Blenoxane; Coumadin; Cytosan; Etopophos; Paraplatin; Rubex; Taxol; VePesid
Johnson & Johnson Group	Remicade; Procit
Schering Plough Group	Albuterol; Integrilin; Intron A; Perphenazine; Proventil; Temodar

- The charts below summarize your legal rights and choices. ***You must make choices now regarding your rights. Please read all of this Notice carefully.***

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

A SUMMARY OF YOUR RIGHTS AND CHOICES:

You May:		Due Date
Do Nothing	<p><i>Stay in the lawsuit and wait for the result.</i> By doing nothing, you stay in the Classes. You keep the possibility of getting money that could come from a trial or a settlement with any of the four Defendants in the Classes, but you give up the right to sue these Defendants yourself about the claims in the lawsuit. See Question 18.</p>	
Exclude Yourself	<p><i>Get out of the Classes.</i> You can write and ask to get out of the Classes. If any money is awarded later in a trial or settlement with any of the four Defendants in the Classes, you can't get any payment, but you keep the right to sue those Defendants at your own expense about the claims in the lawsuit. See Question 14.</p>	<p><u>Postmarked</u> <u>by</u> September 15, 2006</p>
Appear In the Lawsuit	<p><i>Participate in the lawsuit on your own or through a lawyer.</i> If you don't exclude yourself, you can appear and speak in the lawsuit on your own or through your own lawyer. (Class Counsel has been appointed to represent you at no cost.) See Question 17.</p>	

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

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Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

BASIC INFORMATION

1. Why did I get this Notice?

A lawsuit has been filed against several drug companies. The Court has said that the lawsuit can go forward as a class action on behalf of consumers and TPPs who paid or reimbursed for one or more of the Covered Drugs, which are listed in Appendix I at the end of this Notice.

You received this Notice because you are a TPP that may have made reimbursements for Covered Drugs between January 1, 1991 and December 31, 2004 or between January 1, 1991 and June 1, 2006. If so, the lawsuit may affect you. Each TPP Class Member has legal rights and choices to make before the Court holds trials to decide whether the claims being made with respect to the drug companies are true. The first of a series of trials begins on September 25, 2006. **Each TPP Class Member must make a choice whether to remain in the Classes before September 15, 2006.**

This Notice explains:

- What the lawsuit is about, and why it is a class action lawsuit.
- What the lawsuit claims and what the drug companies say about the claims.
- Who is affected by the lawsuit.
- What TPP's legal rights and choices are.
- Who represents TPP Class Members in the lawsuit.
- How and by when each TPP Class Member needs to act

2. What is this lawsuit about?

Defendant drug companies either report the average wholesale price ("AWP") of each drug they make to trade publications or provide those publications with information that causes the publication to publish an AWP for each of their drugs. The published AWP of a drug is used to set the price that consumers making co-payments, Medicare and insurance companies will pay for the drug. The lawsuit claims that Medicare, private insurers, and consumers paid more than they should have paid for the Covered Drugs because drug companies reported false and inflated AWP's on these drugs.

The Court in charge of the lawsuit is the United States District Court for the District of Massachusetts. The name of the lawsuit is *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, Docket No. 01-CV-12257-PBS. The people who sued are called the Plaintiffs. The drug companies they sued are called the Defendants.

The lawsuit includes as many as 42 Defendants. At this time, the Court has certified the first phase of the lawsuit to begin with a trial of the claims against the following Defendants in the following order:

- AstraZeneca (which includes: AstraZeneca, PLC; AstraZeneca Pharmaceuticals L.P.; and AstraZeneca U.S.),

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

- The Bristol-Myers Squibb Group (which includes: Bristol-Myers Squibb Co.; Oncology Therapeutics Network Corp.; and Apothecan, Inc.),
- The Johnson & Johnson Group (which includes: Johnson & Johnson; Centocor, Inc.; Ortho Biotech; McNeil-PPC, Inc.; and Janssen Pharmaceutica Products, L.P.), and
- The Schering Plough Group (which includes Schering-Plough Corp. and Warrick Pharmaceuticals Corp.).

Whenever you see the word “Defendants” in this Notice, it includes only the companies listed above: AstraZeneca, Bristol-Myers Squibb Group, Johnson & Johnson Group and the Schering Plough Group.

3. Why is this a class action?

In a class action lawsuit, one or more people or entities called “class representatives” sue on behalf of others who have similar claims. The people and entities together are a “class” or “class members.” The Court must determine if it will allow the lawsuit to proceed as a class action. If it does, a trial of the claims then decides the lawsuit for everyone in the class. The Court in this lawsuit decided it could be a class action because there are thousands of people and TPPs that are affected, and one lawsuit would be better than many individual lawsuits.

4. Who qualifies as a Third-Party Payor?

A TPP is an entity that is:

- (a) A party to a contract, issuer of a policy, or sponsor of a plan, *and*
- (b) At risk, under such contract, policy, or plan, to pay or reimburse all or part of the cost of prescription drugs dispensed to covered natural persons.

TPPs include insurance companies, union health and welfare benefit plans and self-insured employers. Entities with self-funded plans that contract with a health insurance company or other entity to serve as a third-party claims administrator to administer their prescription drug benefits can qualify as TPPs. Third-party claim administrators may also file a claim on behalf of a self-funded plan if the third-party claim administrator has legal authority and authorization from the self-funded plan to do so.

THE CLAIMS IN THE LAWSUIT

5. What does the lawsuit claim?

The lawsuit claims that the Defendants violated various state consumer protection laws because they provided false and inflated AWP on certain types of outpatient drugs, including the Covered Drugs. The lawsuit also claims that the Defendants reported inflated AWP with the knowledge that Medicare Part B and private insurers rely on reported AWP to determine the prices they will reimburse doctors for those drugs. The lawsuit says that as a result of the inflated AWP, TPPs who reimburse part or all of their insured’s co-payment under Medicare Part B or who used AWP as a pricing standard for reimbursement for those

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drugs outside of Medicare Part B, reimbursed more than they should have. The lawsuit asks the Court to award money damages to those TPPs.

6. What do the Defendants say about the lawsuit?

The Defendants say they didn't do anything wrong. Defendants deny that they are responsible for any of the claims made in the lawsuit.

7. Has the Court decided who is right in the lawsuit?

No. The Court hasn't decided who is right in the lawsuit yet. Much more must occur before the Court holds a trial, including notifying Class Members. By deciding now that the lawsuit can continue as a class action, the Court isn't saying who will win.

8. Are there any benefits or money available now?

No money or benefits are available now because the Court hasn't decided whether those Defendants did anything wrong. There could be money or benefits in the future if one or more Defendants settle before a trial, or if the Court decides in favor of the Classes after a trial. There's no guarantee that any money for Class Members will ever be obtained from the Defendants.

THE CLASSES

9. How many Classes are there?

The Court has ruled that there are two different Classes for TPPs who reimbursed for Covered Drugs: a MediGap TPP Class, and a Massachusetts Class. A TPP could be a member of one or both Classes.

10. Who is in the Classes?

A TPP is a member of the MediGap TPP Class if it made reimbursements for all or part of its insured's 20% co-payment under Medicare Part B for Covered Drugs anytime between January 1, 1991 and January 1, 2005 or

A TPP is a member of the Massachusetts Class if it reimbursed for Covered Drugs outside of Medicare Part B based on a contract that uses AWP as a reimbursement benchmark anytime between January 1, 1991 and June 1, 2006.

In order to be member of either the MediGap TPP Class or the Massachusetts Class, the reimbursements must have been for a beneficiary in Massachusetts or the Third Party Payor must have its principal place of business in Massachusetts.

11. What are the Covered Drugs?

The Covered Drugs are: Albuterol, Blenoxane, Coumadin, Cytosan, Etopophos, Integrilin, Intron A, Paraplatin, Perphenazine, Procrit, Proventil, Remicade, Rubex,

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

Taxol, Temodar, VePesid and Zoladex.

You can find a complete list of the Covered Drugs, by Defendant drug manufacturer, drug name, and NDC code, in Appendix I to this Notice.

12. What does it mean if I'm a member of either or both of the Classes?

If a TPP is a member of either of the classes listed above and does not exclude itself, it won't be able to sue the Defendants again for the claims in this lawsuit if the Court, after a trial, decides Defendants did nothing wrong. But if there is an award of money after a trial or a settlement with any of the remaining Defendants, a TPP that does not exclude itself will be able to make a claim for a share of that money.

YOUR RIGHTS AS A MEMBER OF THE CLASSES

13. How do I remain in either or both of the Classes?

A TPP is automatically a member of the Classes if it fits the Class Definition as outlined in Question 10. At this time, a TPP does not have to do anything to remain in either or both of the Classes. Each TPP will be notified if there is a settlement with any of the Defendants or if the Court determines that any of the Defendants are liable for damages as a result of the trials.

14. Can I get out of the lawsuit and the Classes?

If a TPP is a member of either or both of the Classes, and it wants to keep the right to sue Defendants AstraZeneca, Bristol-Myers Squibb Group, Johnson & Johnson Group, or Schering Plough Group about the same claims on its own (and at its own expense), it must take steps to get out of the Classes. This is called excluding yourself.

15. How does a TPP exclude itself from either or both of the Classes?

To exclude itself from either or both of the Classes, a TPP must send a letter signed by an authorized representative that includes all of the following:

- The company name, address, and telephone number, and the name of its authorized representative;
- The name and number of the lawsuit: *In re: Pharmaceutical Industry Average Wholesale Price Litigation*, Docket No. 01-CV-12257-PBS;
- If a TPP has hired its own lawyer, the name, address, and telephone number of that lawyer; *and*
- A statement that the TPP elects to be excluded from either the MediGap TPP Class or the Massachusetts Class, or both Classes.

All exclusion letters must be mailed first class, **postmarked on or before September 15, 2006**, to:

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

AWP Litigation Administrator
P.O. Box xxx
City, State Zip code

Please remember that a Class Member can't exclude itself by phone or by sending an email.

16. If a TPP excludes itself, can it get any money or benefits from the lawsuit?

No. If a TPP excludes itself from either or both of the Classes, it will not get money or benefits from the Class(es) if any are obtained from a settlement or trial of the lawsuit involving the Defendants. If a TPP excludes itself, it is no longer part of the Classes, and nothing that happens in the lawsuit affects it. But a TPP that properly excludes itself can sue or be part of a different lawsuit against the Defendants about the claims in this case.

YOUR RIGHTS AS A MEMBER OF THE CLASSES

17. Can a TPP Class Member appear or speak in this lawsuit?

As long as it doesn't exclude itself, a TPP Class Member can (but does not have to) participate and speak for itself in this lawsuit through its own lawyer. This is called making an appearance. Remember that the TPP Class Member will have to pay for the lawyer itself. If a TPP Class Member appears in the lawsuit, it is still a Class Member and can share in any benefits the Classes might receive as a result of settlement or a trial.

18. How does a TPP Class Member appear in this lawsuit?

If a TPP Class Member wants its own lawyer instead of Class Counsel to participate or speak for it in this lawsuit, its lawyer must give the Court a paper that is called a Notice of Appearance. The Notice of Appearance should include the name and number of the lawsuit, and state that it wishes to enter an appearance in the lawsuit.

The Notice of Appearance must be filed with the Court at the following address:

Clerk of Court
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, Massachusetts 02210

A Notice of Appearance should be filed with the Court before the first of a series of trials of this lawsuit begins. The first trial is currently scheduled to start on September 25, 2006.

IF YOU DO NOTHING

19. What happens if a TPP Class Member doesn't do anything at all?

If a TPP Class Member does nothing, it stays in the Classes and all of the Court's orders in the lawsuit will apply to it, including any decision on the trial for the Classes. By staying in either or both of the Classes, a TPP Class Member keeps the possibility of getting money or

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

benefits later from the lawsuit.

THE LAWYERS REPRESENTING TPP CLASS MEMBERS

20. Do TPP Class Members have a lawyer in this lawsuit?

Yes. The Court has appointed the following law firms to represent TPP Class Members:

Hagens Berman Sobol Shapiro LLP

www.hagens-berman.com

1301 Fifth Avenue, Suite 2900

Seattle, WA 98101

and

One Main Street, 4th Floor

Cambridge, MA 02142

Mark H. Edelson

Edelson & Associates LLC

45 West Court Street

Doylestown, PA 18901

Spector Roseman & Kodroff, PC

www.srk-law.com

1818 Market Street, Suite 2500

Philadelphia, PA 19103

Wexler Toriseva Wallace LLP

www.wtwlaw.us

One North LaSalle St., Suite 2000

Chicago, IL 60602

Kline & Specter, PC

www.klinespecter.com

The Nineteenth Floor

1525 Locust Street

Philadelphia, PA 19102

These lawyers are called Class Counsel. Class Members won't be charged for these lawyers. More information about Class Counsel and their experience is available at the Web sites listed above.

21. Who pays Class Counsel and how much will they be paid?

If Class Counsel obtains money or benefits for the Classes through a settlement or a successful trial, they will ask the Court for payment of attorneys' fees and costs out of the total amount of money and benefits obtained. The Court must approve the amount of attorneys' fees and costs. If Class Counsel doesn't obtain any money or benefits for the Classes, they won't receive or ask to receive any attorneys' fees or reimbursement of expenses.

22. Should a TPP Class Member get its own lawyer?

A TPP Class Member doesn't need to hire its own lawyer because Class Counsel works for all Class Members. But, if a TPP wants its own lawyer to speak for it or appear in Court, it must file a Notice of Appearance (*see* Question 18 to find out how to submit a Notice of Appearance). If a Class Member hires a lawyer to appear for it in the lawsuit, it will have to pay the lawyer itself.

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.

GETTING MORE INFORMATION

23. Are more details and information available?

This Notice is just a summary of the lawsuit. More details are in the Complaint filed by Class Counsel and the other legal documents that have been filed with the Court in this lawsuit. Anyone can look at and copy these legal documents at any time during regular office hours at the Office of the Clerk of Court, John Joseph Moakley U.S. Courthouse, 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210. Copies of some of the important documents, like the Complaint, are also available online at www.AWPlitigation.net.

In addition, if you have any questions about the lawsuit or this Notice, you may:

- Visit the AWP Litigation Web site at www.AWPlitigation.net
- Call toll free 1-xxx-xxx-xxxx (hearing impaired call 1-yyy-yyy-yyyy)
- Write to: AWP Litigation Administrator, PO Box xxxx, City, State Zip code.

By Order of the United States District Court, District of Massachusetts.

Date: _____

The Honorable Judge Patti B. Saris

Questions? Call toll free 1-800-000-0000, or visit www.AWPlitigation.net.